

REMARKS

Applicant thanks the Examiner for initialing the references listed on form PTO/SB/08 submitted with the Information Disclosure Statement filed on January 26, 2005. However, the Information Disclosure Statement filed on October 27, 2004 has not been acknowledged, and therefore, it is respectfully requested that the Examiner sign and return the PTO/SB/08 form submitted on October 27, 2004.

Claims 3-9 are all the claims pending in the application, and currently all the claims stand rejected. Applicant respectfully traverses all the rejections.

Claim Rejections - 35 U.S.C. § 103

Claim 4 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Weisshaar et al. (U.S Patent No. 6,580,916; "Weisshaar") in view of Son et al. (U.S Patent No. 6,813,502; "Son").

Claim 4 recites, *inter alia*, "a wireless server device connected to the network and implementing a master search service." The Examiner admits that "Weisshaar fails to explicitly disclose a master search service in the wireless server" (See Office Action: Page 4). However, the Examiner now asserts that Son makes up for the admitted deficiencies of Weisshaar (*Id.*). Applicant respectfully disagrees.

Son fails to teach or suggest "a wireless server device connected to the network and implementing a *master* search service," as recited in claim 4. Claim 4 unambiguously recites two distinct and separate searches for services, namely the *master* search implemented in the wireless server and the *slave* search implemented in the wireless terminal. As such, the

recitation of a “*master search*” in the noted portion of claim 4 connotes an existence of a master-slave relationship, and thereby the existence of a *slave* search elsewhere in the system.

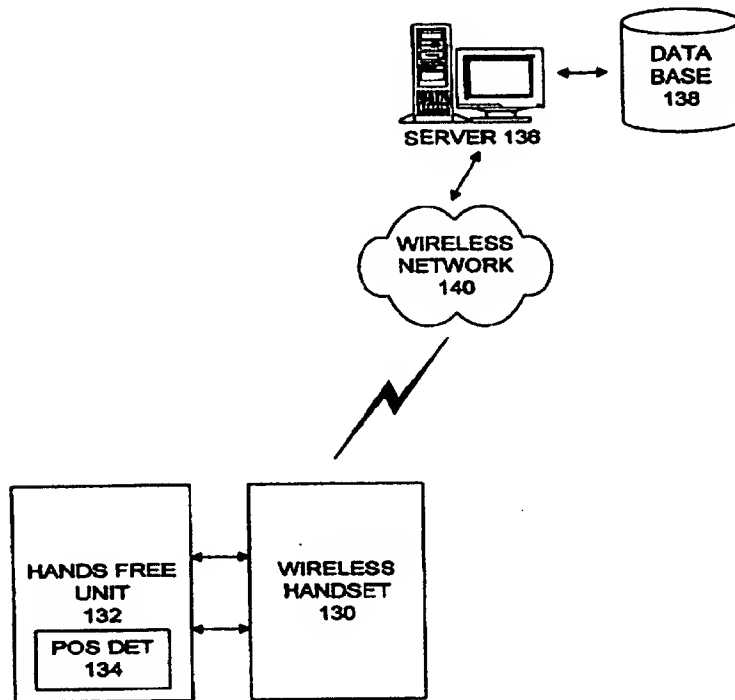


Fig. 2

In Son, however, services are provided to the wireless communication device 100 (including the wireless handset 130 shown above in Figure 2 of Son) *exclusively* through the information obtained from the server 136 (See Son: Figure 2; col. 3, lines 9-11). That is, there is no ancillary slave search conducted anywhere else in the system described in Son in *addition* to the one carried out in the server 136 to suggest that the retrieval of requested information by the server 136 should be construed as a “master search,” as recited in claim 4. Son unequivocally describes that the wireless handset 130 is utilized to merely send requests for service to the server 136 (See Son: Figure 2; col. 6, line 36- col. 7, line 44, “Again the user can provide this

request vocally or via keypad entry to server 136 across wireless network 140.”). Therefore, Applicant respectfully submits that the retrieval of service information described in Son fails to teach or suggest “a wireless server device connected to the network and implementing a *master* search service,” as recited in claim 4.

As for the motivation to combine the two references in the manner proposed by the Examiner, the Examiner asserts in a single conclusionary sentence that “it would have been obvious to one of ordinary skill in the art to modify Weisshaar to include a master search for the purpose of allowing the server to refine its search” (See Office Action: page 4). Applicant respectfully disagrees and submits that the Examiner fails to identify the requisite suggestion or incentive that would have motivated an artisan ordinarily skilled in the art to modify a reference or to combine references in the manner proposed by the Examiner (See: *In re Fine*, 837 F.2d 1071, 1074 (Fed. Cir. 1988)).

“In determining the propriety of the Patent Office case for obviousness in the first instance, it is necessary to ascertain whether or not the reference teachings would appear to be sufficient for one of ordinary skill in the relevant art having the reference before him to make the proposed substitution, combination, or other modification.” See: MPEP § 2143.01. The prior art must be considered in its entirety, including disclosures that teach away from the claims. See: MPEP §§ 2141.02, 2145(X)(D).

Applicant further points out that the modifications to Weisshaar proposed by the Examiner “cannot change the principle of operation of the primary reference or render the reference inoperable for its intended purpose. See MPEP §§ 2143.01, 2145(III) and (X)(D).

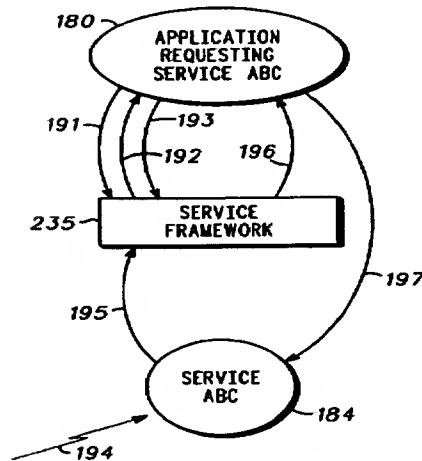


FIG. 8

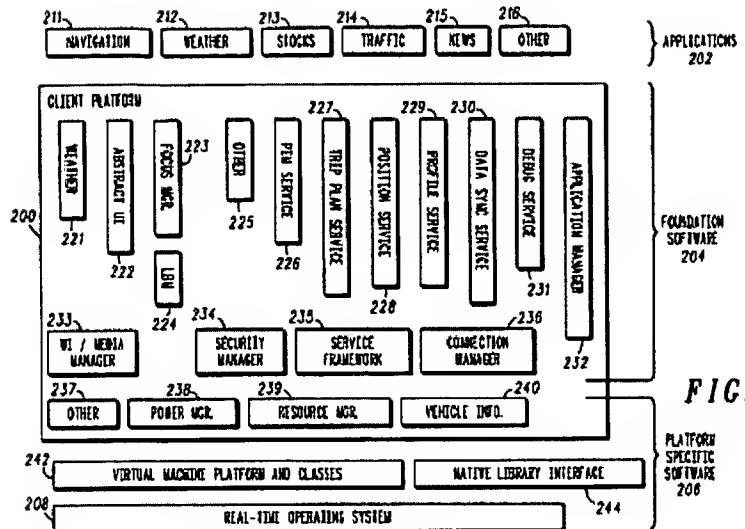


FIG. 5

The primary reference Weisshaar states that “[o]ne purpose of this invention is to provide a system to allow a mobile client platform to discover and use services that become available dynamically within the client platform’s environment” (See Weisshaar: col. 10, lines 53-58). As such, Weisshaar employs the use of a service framework 235, as shown above in Figure 8 to provide a way for a service-using entity to look up services (See Weisshaar: col. 13, lines 57-59). Further, Weisshaar unambiguously describes that the service framework 235 resides in the *client platform* 200, as shown above in Figure 5 of Weisshaar (See Weisshaar: col. 7, lines 17-24).

Therefore, in Weisshaar, the service look ups are conducted on the client side and *not* repeated on the server side.¹ In fact, Weisshaar states that “in normal operation, the mobile client plays more of a master role with the servers acting like the slaves” (See Weisshaar; col. 14, lines 11-13). As such, Applicant respectfully submits that there is no disclosure, teaching or

¹ The Examiner stated on the Interview Summary dated January 26, 2005 that “Weisshaar does not specifically teach that the wireless server device comprises the master service search (or ‘service framework’) such that it would implement its own look-up function.”

suggestion in the primary reference Weisshaar which would have led one ordinarily skilled in the art at the time of Applicant's invention to combine the teachings of Weisshaar with that of Son, as proposed by the Examiner.

If anything, Applicant respectfully submits that one ordinarily skilled in the art would *not* have been motivated to combine the two references in the manner suggested by the Examiner, since doing so would have required the retrieval of requested information through the server² *in addition* to the use of service framework 235 utilized on the *client* side. Providing Weisshaar's server with such service search functionality plainly goes against the stated underlying preference of the Weisshaar reference which is to allow the *client* platform 200 to perform service searches for services located on application servers (See Weisshaar: col. 10, lines 53-58). Further, since the service look ups are already conducted on the client side in Weisshaar, combining Weisshaar with the teachings of the secondary reference Son to implement an additional search at the server side would be *redundant* at best. The service search is already carried out on the client side in Weisshaar, and as such, one ordinarily skilled in the art would not be motivated to combine the two references in the manner suggested by the Examiner.

In view of the foregoing, Applicant respectfully submits that claim 4 is patentable over Weisshaar in view of Son.

Claims 3 , 5-8 and 9 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Weisshaar and Son in view of Ben-Shachar et al. (U.S Patent No. 6,209,018;

² As discussed previously, the wireless device terminal described in Son merely sends a request information to the server, and does not conduct a search for services on its own. (See Son: col. 6, line 36 - col. 7, line 44).

“Ben-Shachar”). Applicant respectfully submits that Ben-Shachar fails to make up for the deficiencies of Weisshaar and Son under the rationale analogous to those discussed with claim 4. That is, Ben-Shachar fails to teach or suggest “a wireless server device connected to the network and implementing a master search service” recited in each of the independent claims 3, 5, 7 and 8.

In view of the foregoing, Applicant respectfully submits that claims 3, 5-8 and 9 are patentable over Weisshaar and Son in view of Ben-Shachar.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

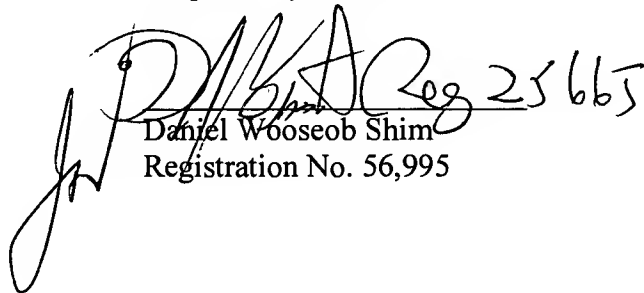
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